

been squandered over these past few years under this administration have come as a result of contractors not being held accountable.

We fought for the Hate Crimes Act which provides legal protection for churches, synagogues, and mosques against hate crimes.

We fought for the Farm Nutrition and Bioenergy Act addressing the issues around that.

We stood up on behalf of the Children's Health Insurance and Medicare Protection Act, CHAMP. It was defeated in the Senate, and so it really didn't get anywhere; and that brought us back to SCHIP, which recently was vetoed by the President.

We want everyone to know that Democrats are going to continue to fight to be assured that 10 million children in the United States of America have health care coverage.

We fought on behalf of the Darfur Accountability and Divestment Act, and the list goes on. I am so proud to be in the U.S. Congress. I often tell people the story that my father was a skycap for 38 years for United Airlines and my mother was a factory worker. And for them to have the opportunity in a generation to see their daughter serve as a judge, a prosecutor, and then have an opportunity and the ability to be in the U.S. Congress is just something wonderful.

I always tell people if I am judged, and we always talk about honor thy father and thy mother, that if I am judged on honoring thy father and thy mother, I am probably going to get to heaven. Now some of the other conduct I've engaged in may keep me out of heaven, but I want to say I am pleased and proud to be the daughter of Andrew and Mary Tubbs and to represent the Congressional Black Caucus and represent the country in the U.S. Congress.

Lastly, I will say, the first time I had the opportunity to sit in that chair where you are, Mr. Speaker, I looked up to my mom and dad and said: "Mom and Dad, look at me now, I am in charge of Congress and I'm swinging the gavel."

Mr. Speaker, I thank you on behalf of the Congressional Black Caucus.

#### FREEDOM OF EXPRESSION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Oregon (Mr. WALDEN) is recognized for 60 minutes as the designee of the minority leader.

Mr. WALDEN of Oregon. Mr. Speaker, my greetings to my colleagues, especially my friend from Ohio and her remarks. I look forward tonight to talking about another civil right, and that is freedom of expression, guaranteeing that we have the ability to have freedom of expression of even controversial political and religious topics on America's airwaves. That's right, to make sure when issues are debated on

talk radio or talk TV, that somehow there aren't government censors down the street at the FCC trying to silence those who are having these discussions about today's most vibrant issues.

It really goes to the heart of our democracy, I believe, to have an informed democracy which comes about because we have a vigorous discussion, intellectual discussion, a vibrant discussion about the issues of our day. Certainly, whether you are a conservative Member of the House or a liberal Member of the House or somewhere in between, we all debate these issues here; and some of what we say here actually ends up on the airwaves of our broadcast radio and television stations. That is a healthy thing for our country, for our democracy and for an informed electorate.

In 1949, the Federal Communications Commission promulgated a regulation that said every time you have a discussion about a controversial issue, you have to have an opposite viewpoint presented on the public airwaves. On its face, that certainly sounds fair, and that is why they called it the fairness doctrine and the whole premise was in 1949 that there weren't many radio stations. I think there were 2,800, and this was all designed to try and spur communication, to spur this debate on the airwaves, to have opposing viewpoints come forward. This was the government's viewpoint. This is what the Federal Government said this is how we will get this discussion going on the public airwaves. There aren't too many radio stations and very few television stations, no Internet, no iPods. That was it.

□ 2045

So they said, well, pass this regulation that will cause all this great discussion to occur. Well, guess what? That was 1949. Talk radio really didn't come about until about 1988 when, after a series of court decisions found that the so-called fairness doctrine really wasn't fair at all but, moreover, didn't spur the kind of debate on the public airwaves, and in fact, the courts have held, and I'll get into this in detail in a few minutes, but this Federal regulation actually had a very chilling effect on free speech, very chilling effect, actually discouraged discussion of public policy issues on the airwaves. That's right, discouraged discussion of public policy on the airwaves, had a chilling effect, chilling effect on free speech in America. And as a result, the Federal Communications Commission in 1987, I believe it was, decided to repeal the so-called fairness doctrine.

What happened after that? Well, what happened after that was all of the sudden talk radio came to life in America. Now you may like certain hosts and you may despise certain hosts. You may be a conservative Member of this House and think everything Rush Limbaugh says is gospel and the same thing with Sean Hannity. You may be a liberal Member of this House and like

the words of Al Franken or Alan Colmes or someone.

None of those hosts would be at the level they are today if the fairness doctrine were still in place. So why am I down here talking about the fairness doctrine, a regulation that was repealed in 1987, 20 years ago? What's the issue?

Well, the issue is this, that there are Members of this body and the one across the Capitol, there are the powerful elite in this city who don't like what happens on talk radio, makes their lives uncomfortable, gives them great discomfort. The most recent example of which was when the Senate was debating the immigration legislation and moving quite rapidly forward on that flawed legislation, and talk radio got a hold of it on the conservative side or on the liberal side and began to go into it in detail with the audiences they reached, the millions and millions of average Americans out there who are listening to talk radio. The more they educated the public, the more they debated and engaged their audiences in this debate, the more pressure got turned up on this issue.

It's just one example. You know, the issue ended up being defeated in the Senate, and some of them who are on the other side said talk radio is to blame and we need to do something about talk radio, that's not fair, we need to bring back the fairness doctrine. That's why I'm here tonight and why the Republican leadership has asked me to speak on this issue, because there is a very real threat at very high levels in the government, the Congress, that is, to bring back the fairness doctrine, which would be one of the worst things I think could happen.

Now, why did they ask me? Well, I serve on the Energy and Commerce Committee and the Telecommunications Subcommittee, but that's not why. They asked me because I grew up in a radio family. My father started in radio in the 1930s in rural Oregon, helped put stations on the air. He was an engineer and an announcer and a sportscaster and eventually, in 1967, was able to scrape together with a partner enough money to buy his first radio station and added another one he put on the air in 1978. And in 1986, my wife and I bought them from my parents and added three more. So I've been a small market broadcaster for 21½ years, and so I've seen this evolution of pre-fairness doctrine, post-fairness doctrine.

Indeed, one of our radio stations carries Rush Limbaugh and Sean Hannity and Michael Reagan and others on the conservative side, and there's great audience response. There are other radio stations, Portland and around, that have great audience response from Air America and the liberal viewpoints, and that's fine. That's what America's about is this debate of free speech.

I think that even liberals and conservatives should be able to agree that

having somebody down at the Federal Communications put in regulation the so-called chilling fairness doctrine would be the worst thing that could happen to a debate about public policy in America, the worst thing.

So recently, knowing that this was gurgling up in our Nation's capital, I wrote to the chairman of the Federal Communications Commission, and I'll put this letter in the official CONGRESSIONAL RECORD, but let me read you some excerpts, because I asked the thoughts of the chairman, Kevin Martin, about the appropriateness of the fairness doctrine, and he writes back:

"As you are undoubtedly aware, the fairness doctrine obliged broadcasters to provide an opportunity for the presentation of contrasting viewpoints on those controversial issues of public importance that they covered," and he goes on to cite some court cases.

"In 1987, based on its 1985 Report on the fairness doctrine . . . and an extensive subsequent administrative record, the Commission concluded that enforcement of the fairness doctrine was not in the public interest and thus decided to abandon it.

"Among other things, the Commission found that the doctrine 'chilled speech' by 'providing broadcasters with a powerful incentive not to air controversial programming above a minimal amount' in order to avoid burdensome litigation over whether it had complied with its obligation to provide contrasting viewpoints . . . Based on its examination of the record, the Commission concluded the fairness doctrine had created 'a climate of timidity and fear, which deterred the coverage of controversial issue programming.' . . . Indeed, the record" compiled "by the Commission at the time included over 60 reported instances in which the fairness doctrine had inhibited broadcasters' coverage of controversial issues."

Sixty instances where the fairness doctrine had inhibited the coverage of controversial issues.

Now, you say why would that be? All they've got to get is somebody with an opposing viewpoint to come on. Well, what happens is if you air a controversial issue, which opposing viewpoint do you have to give access to the airwaves to? And there are a multiplicity of groups out there who demand that access, and if they didn't get it, they would threaten the very license of the broadcast station. They'd threaten them at the FCC, the Federal Communications Commission.

If you go back, there are examples in the 1960s of the Nixon White House and the Kennedy White House using the fairness doctrine to try to intimidate and silence their critics. Nixon, Kennedy, misusing the fairness doctrine. It's wrong. It's chilling. It was intimidating. These are the words of the current chairman of the Federal Communications Commission. I will put his letter back to me in the RECORD.

So, if the current chairman and the makeup of this commission doesn't be-

lieve in the fairness doctrine, why are we worried? Because the next administration will appoint new commissioners to the Federal Communications Commission, and that next administration could appoint commissioners who could write a rule to restore this government censorship into their rules.

Now you say, but you've said, Congressman WALDEN, that this is chilling and the courts have said this chills free speech. Yes, but they've never overturned it, and if it were put in rule, it would have a gagging effect on talk radio and talk television, including religious broadcasters by the way, immediately, I believe.

And so while it might take years to work its way through the court system, it was chilling effect on free speech in America, a guarantee of the first amendment of our Constitution. That effect would be immediate and devastating.

And so here on my left, well, here's Rush Limbaugh and Al Franken, Hannity and Colmes, duct tape over their mouth. That was a nice little Photoshop thing we did, but the point is clear. Restoration of this government regulation would silence them, but it's more than just them.

It's here starting on the far right over here. Lars Larson from KXL in Portland, has a national talk show as well. Garth and Rosemary Harrington out of KCMX in Medford, Oregon, or Bill Myers out of KMED, local in my district talk show hosts, in my State and national talk show hosts. People that we listen to, don't always agree with. You can always turn the dial and find a different topic on a different station. People we listen to. The threat's real.

So what are we doing about this threat? Well, Congressman MIKE PENCE, my colleague and former TV journalist from Indiana, and I have co-sponsored H.R. 2905. That's the Broadcaster Freedom Act, and the Broadcaster Freedom Act, we tried to get hearings on, and the new majority doesn't want to give us a hearing on the bill. At least they haven't. It just says it takes an act of Congress, FCC, to restore the fairness doctrine. You can't just go do it on your own. You can't be five commissioners down the street who want to put the fairness doctrine back in rule and silence talk radio. No, you can't do it that way. In fact, we're not going to let you. Let's have the people's elected representatives be the ones to make that decision.

It doesn't sound so bad. It's a rule that's repealed today, not on the books. This commission says they have no interest in putting it in, or opponents of this effort even say, well, what are you worried about? My question is, if there's nothing to worry about, what are you worried about bringing this up for a vote? We ought to do it. Can't do it.

So the only alternative left to my colleague MIKE PENCE and I, both Re-

publicans, but this doesn't have to be a partisan issue at all because I think all of us in this Chamber are for free speech and public debate, our only alternative left is something arcane known as a discharge petition. You all know that.

My colleagues know what a discharge petition is, but for those who may be new here and don't know, it's simply a petition you sign right over here at the front desk. And if a majority of the House, 218 Members, sign that petition, we'll get an open rule on the floor. We'll debate this issue in full and open and public display of our colleagues and citizens of this great country about freedom of speech.

And I predict we'd pass H.R. 2905 in a landslide, because the last time we voted on this issue was to deny funding to the Commission to reinstitute the fairness regulation and the censorship regulation, and more than 300 of the 435 Members of this great House voted with us, my colleague MIKE PENCE and with me, to prevent any funding being spent by the FCC.

So we know from that vote there are more than 300 of you here in the House who would support what we believe in, that you, too, support free speech over America's airwaves, that you support it.

So, it's simple. We just need 218 of 435 to sign the discharge petition. Just sign the petition. If you're for free speech over the public's airwaves, sign the petition. If you're for gagging people on the left, the right, the middle, religious broadcasters, then don't sign the petition. If you're for free speech, you sign the petition.

Now, I want to share with you some correspondence I've gotten back since we've started down this path and, the station vice president/general manager of the CBS affiliate in Portland, Oregon, KINK and KLTH, wrote back to me, said:

"Greetings from Portland!

"Thank you for your efforts in opposing the re-introduction of the fairness doctrine. I appreciate getting copied on your inquiry to the FCC Chairman Kevin Martin regarding his views on the subject.

"The fairness doctrine is a classic example of an initiative that yields the opposite effect to its intended objective. A less-regulated forum for thoughts and ideas remains the best guardian for the well-being of our democracy.

"With warm regards,

"Stan Mak,"

"VP/GM, KINK & KLTH."

A less-regulated forum for thoughts and ideas remains the best guardian for the well-being of our democracy.

Some other e-mails that we've gotten: Thank you for fighting to rid the U.S.A. of the fairness doctrine, which to me is nothing less than an attack on our freedom of speech. This insidious attack must be stopped. Please keep fighting, and don't let up until it's forever gone. Thank you. Mr. Graham Salisbury of Portland, Oregon.

Dear Congressman WALDEN, I was heartened to learn of your effort to force a vote on the BFA, possibly spurred by the current Limbaugh smear, because I find the fairness doctrine to be truly frightening. Mr. Dylan Greenhoe of Portland.

Mr. Robert Barrie of Grants Pass, Oregon, writes: I have just received your e-mail newsletter and I would like to tell you that you have my full backing on H.R. 2905. I must share your frustration that certain Members of Congress could be blatantly blind to the fact that the grassroots American public was able to see through the faulty Senate-proposed immigration bill, primarily due to the freedom of talk radio. If it had not been for American talk radio, most of us would not have had the slightest idea what was really in this legislation.

We must do everything in our power to see that the fairness doctrine is never brought back to American radio airwaves. Please keep me posted on this very important bill.

Mr. Robert Barrie, Grants Pass, Oregon.

Sign the petition. Sign the petition. Bring H.R. 2905 to the floor and keep America's airwaves open to debate on the right, the left, the religious center.

□ 2100

Can you imagine if you are a religious broadcaster and the regulators down the street put this gag back in place, and you are preaching a Christian message, let's say, do you have to bring on an atheist then to preach the opposite? Is that the kind of fairness some regulator here in Washington might demand in order for your station to get relicensed? I don't know. Clearly, though, in this day and this litigious society that we are living in, there are plenty of organized and certainly well-funded organizations out there who would love to silence their critics on either side.

This isn't about whether you are a Republican or a Democrat. This isn't about whether you are liberal in your viewpoints or conservative in your viewpoints. This cuts to the very foundation of free speech, which, obviously, underlies our entire country and our foundation for democracy. Without free speech, you do not have an informed democracy. Without that, you know, we don't have much of anything; we don't have much of anything.

So when you look at these issues, according to the FCC itself, the coverage of this old fairness doctrine was you had to have these issues covered, controversial issues covered to be fair. According to the FCC itself, this meant that each time a broadcaster presented an arguably controversial issue of public importance, they ran the risk of a complaint being filed, potentially resulting in litigation and penalties.

I want you, my colleagues, to tell me in today's environment how you would define arguably controversial issues of public importance. Is there anything

that we debate here somebody might not say is arguably controversial?

The penalties that could emanate if this were put back in place included government sanction, administrative and legal expenses, or even revocation of broadcast licenses, clearly underscoring the need to pass H.R. 2905, the Broadcaster Freedom Act. There is one bill number or one term you need to leave here tonight remembering, it's pass H.R. 2905, the Broadcaster Freedom Act, unless you are for gagging those talk show hosts, like Bill Myers, who has spoken up aggressively about protecting American sovereignty, getting control of our borders, making sure that our taxpayer dollars are spent helping Americans, and those who are here legally, not the other way around, Garth and Rosemary Harrington, who are always talking about freedom in America and supporting our troops and standing up for our natural resource-based economy. Of course, Lars Larson who has been out there as well on all of these issues.

There are those in this Congress, and in this city, who seeks to put duct tape over their mouths, as we have done photographically here for display purposes only. That is what they want to do. They want to gag them. They want to shut them down because they don't like what they are saying, because they say things that aren't on the script.

Now I know, I don't always agree with all these folks. I mean, who does? Sometimes they engage in a little over-the-top discussion. I think, frankly, they are trying to get people to think. They are trying to jab them a little bit, get them outside of the box and look at issues differently.

If people didn't like what they heard, these people would be off the air because, especially in commercial broadcasting, it is all about ratings. Ratings are all about who is listening. Nobody is listening, nobody is buying advertising. They are packing up their microphones and their headphones, and they are headed out the back door. No, see, people are listening. They like to be challenged. You may not listen all the time, every day, every show. You may disagree, as I do, from time to time, with all these folks. But we should never disagree on the fact that we are better served with free speech in America.

You know, Congressman PENCE and I last week, along with Congressman BOUCHER and a whole host of folks, Congressman BOUCHER and Congressman PENCE really led the effort, passed legislation overwhelmingly in this House to protect journalists from government intervention and trying to figure out who their sources are.

Government always wants to kind of get in there and shut down people they don't want to hear from. They want to hide things sometimes when there are mistakes made. Nobody wants to be embarrassed; but without an active and vibrant press, and I was trained as a

journalist at the University of Oregon, did a little bit of reporting in my background, without that, without sources that you can protect, we would not have the balance that we need in an informed democracy.

Let me talk a little bit about the Supreme Court cases related to the fairness doctrine. Again, remember, sign the petition, help us bring H.R. 2905 to the floor and prevent these things from happening.

But in 1969, we saw the first Supreme Court test of the fairness doctrine in *Red Lion Broadcasting v. The FCC*. Although the court ruled then, remember, this was 1969, that the fairness doctrine didn't violate a broadcaster's first amendment rights, it did caution that if the doctrine ever began to restrain speech, then the constitutionality of the regulation should be reconsidered.

In 1974, the U.S. Supreme Court concluded that the fairness doctrine inescapably dampens the vigor and limits the variety of public debate. That was in the *Miami Herald Publishing Company v. Torino* lawsuit. Twenty-three years ago, 1984, the year Ronald Reagan was reelected, in *FCC v. League of Women Voters*, the Court went further and concluded that the fairness doctrine was limiting the breadth of debate. This ruling set the stage then in 1999 for the Federal Communications Commission to repeal the fairness doctrine.

So the Supreme Court of the United States, over many, many years, almost 15 years, the Supreme Court provided all of us in the Congress good enough reason in underpinnings to get rid of the fairness doctrine to make sure it never comes back. The commission got the message, 1987, said, we are going to repeal it.

But, you know, our memories sometimes in this body are a little short, and some people get a little tired of what they hear and the criticism they take, and, believe me, we all get it, but silencing our critics is fundamentally, and I will be careful how I use this word, but silencing our critics is un-American. Free speech is American. This is un-American to say we are going to gag people because we don't like what they say.

I don't think any of us here stand for that. I really don't. I honestly believe we want vigorous, open debate of issues, and we are better off for it. How many times do the Members of both sides of the aisle complain when legislation is rushed to the floor without a hearing, without the benefit of Members who bring various expertise, have them weigh in with amendments? We are seeing this rash, unprecedented rash of closed rules, no amendments, no hearings on major legislation because some powerful folks say we just want to get this done. We know what's right. We don't need your help. We don't want to listen to your critics; we don't want to listen to your complaints. We are just going to do it, and get over it.

Well, some of those same people may be the ones who say we don't like this talk radio thing; we don't like the fact they are bringing up different view points; we don't like the fact that Rush Limbaugh or Sean Hannity or Alan Colmes, Garth and Rosemary, Bill Myers or Lars Larson are talking about issues that, gosh, if people only knew the details of it would make our jobs uncomfortable. Well, tough, this is a democracy, and the voters decide whether they like what we do or not.

But if they are not informed, how do they know what we do here? How do they know? How do they know that we couldn't get a hearing on H.R. 2905? How do they know?

Well, I will tell you how they know, and how they know, how Americans know that this is an issue is because of talk radio, because we have told them. Some of us said, help us protect free speech on America's airwaves. Here we are today talking about a regulation overturned 20 years ago, one that we don't ever want to come back, one that the Bush administration doesn't want to come back, one that the FCC says we have no interest in bringing back. But we know there are those with a change of control, the administration, in just, you know, a couple of months, might put in place people who want to bring it back.

I am here tonight to say to my colleagues, and I know Dr. BURGESS, who is going to speak after me, I believe, has already signed the discharge petition, as have nearly 140 of my colleagues, or perhaps more by the end of tonight, we just need 218, 218 people to sign the petition to prevent talk radio and talk TV and religious broadcasters from being gagged in what they do. We just need 218.

I am joined by my friend and colleague from Dallas, Texas, the Honorable PETE SESSIONS, who has signed the petition so that we can bring H.R. 2905 to the floor.

I know Congressman SESSIONS, who serves on the Rules Committee, has been very frustrated with the lack of free speech coming to this floor through legislation, because he is up there trying to fight for the rights of the minority to be able to have their views heard in this House and to be able to have their amendments debated in this House. I know he doesn't support silencing talk radio and talk TV as restoration of the fairness doctrine would do, but rather thinks like I do that we ought to pass H.R. 2905 and protect the first amendment rights of those on the public's airwaves.

Perhaps my colleague from Texas would like to make a comment.

Mr. SESSIONS. I thank you for not only taking time, the gentleman from Oregon (Mr. WALDEN) for taking time to lead in this Congress the debate and the discussion on not only the fairness doctrine, which we oppose in this United States House of Representatives, perhaps, more importantly, a vision about what we are trying to have

in this country, for not only free speech, but also the ability to speak fairly and freely about the things which we hold dear, not only in our hearts and in our minds, but also in this country and in America.

The gentleman from Oregon has already outlined previously that what happened is that prior to about 1987 we did have something that was called the fairness doctrine. The fairness doctrine essentially says this, that if you are on talk radio in this country that you would have to give the same time, the fair time, equal time to an opponent, someone who had an opinion different than your own.

As a result of the fairness doctrine, which I believe and others believe, and perhaps the Supreme Court believes, would be illegal, what has happened is that talk radio and the ability for the American people to speak freely, openly, without fear that what they are saying would be, they would be taken to task for. What has happened is that talk radio has flourished all around the country. Talk radio has flourished not only about thoughts and ideas, but about the greatness of this country.

I do believe that what the gentleman is talking about is the right thing to do. That is why I signed on as a cosponsor of H.R. 2905.

The gentleman from Oregon also talked rather freely and openly about my service and the service of three of my other colleagues who are Republicans on the Rules Committee. The Rules Committee is that body that is interested in making sure that the debate that comes to the floor of the House of Representatives has a chance, first of all, to be heard and all thoughts and ideas are debated.

We have rather openly, and the gentleman from Oregon knows this, whoever is in the majority, whoever is in the majority has a very difficult time as a result of the rules of the House with germaneness of amendments and the things which we do of trying to have a balance about hearing good thoughts and ideas, making in order amendments, without killing the general intent of what legislation is for. I think that that is part of what this fairness doctrine might be about from their perspective and where we disagree with the fairness doctrine, but being able to openly talk about things.

The fact of the matter is that the Rules Committee yesterday, or today, heard a discussion, and I think it was last week that the Democratic Party has a new record of closed rules, today a new record on closed rules to where they don't want any debate.

Mr. WALDEN of Oregon. I think there may be some newer Members here who don't understand the significance of what a closed rule means. What that means is no Member of the House has an opportunity to have an amendment heard on that issue, right?

Mr. SESSIONS. I thank the gentleman, my friend from Oregon, the distinguished gentleman from Oregon

for trying to get more information out of it. That's right, a closed rule says that the committee, the Rules Committee, would make a determination about what would be made, what we call in order, which means what would be debatable and anything outside of that order, even if you had a good idea sitting on the floor of the House of Representatives, you could not engage in the debate. You could not put an amendment forward.

Mr. WALDEN of Oregon. I am a little troubled by that because I thought that the Speaker of the House, when she took over, announced that the House would be run differently and that there wouldn't be closed rules.

□ 2115

Mr. SESSIONS. In fact, reclaiming my time, the gentleman would be correct. Mrs. PELOSI has stated, it is on her Web site tonight, has been, that this new Democrat majority would be the most open, honest majority in the history of Congress, and yet, they lead already a new record in terms of closed rules.

Mr. WALDEN of Oregon. Which means shutting down debate, shutting down amendments, limiting all of us.

Mr. SESSIONS. Shutting down debate and amendments and making those in order. And so it's interesting that what has tried to be done here, with the fairness doctrine is actually, in this Member's opinion, a silencing. The fairness doctrine would silence talk radio, would put those that might be like Sean Hannity or might be like Rush Limbaugh or back home in Dallas, Texas, Mark Davis of a local radio station that we have in Dallas, it would mean that they would be required, if they're going to talk about a subject, that they would be required to have an opposing side to come and speak about that also. And I think that puts a chilling effect not only on free speech, one which I think is unconstitutional, but perhaps, more importantly, it is an intrusion upon the free thought processes of America and Americans.

And so tonight, what the gentleman is doing is correctly saying that we, in this body, the House of Representatives, believe that signing on to H.R. 2905 says that we're not going to go and step backwards in this country. We want free speech to continue and to flourish, and for talk radio and thought processes to be alive and well.

Now, I know, and I assume the gentleman from Oregon knows this too, that what's happened, what would happen as a result of this, or what is happening as a result of this is that Mrs. PELOSI and others recognize that talk radio talks about the Democratic agenda, the Democratic Party's agenda, raising taxes, more rules and regulations, more rules and regulations to where, on a regular basis, I feel compelled to tell the truth about the Rules Committee, that the Rules Committee seems to be a wholly owned subsidiary

of the AFL-CIO, that it appears as though the Rules Committee receives their instructions directly from union central, John Sweeney, telling them exactly which bills will be made in order. We've had so many bills which are under the construct of trying to say it's about worker safety or it's about making things fairer in the workplace, but in fact it is about further unionizing and empowering unions in this country against consumers and against the working people of this country with powerful unions.

And lastly, that the Republican Party will speak very openly about how dangerous we believe single-payer system to health care would be to this country. And so, there are, the Democratic Party in this country does not want those debates to take place. They want us to, talk radio and Republicans, if we're going to be heard, to allow the other side to have a chance to dispute everything we say. And I would say let the Democratic Party have their talk shows and let them speak freely about raising taxes, more rules and regulations, and empowering the unions in this country to become, once again, more powerful, and to talk about how the free enterprise system is something that they don't support, that they believe that raising taxes is the right thing to do. Let them have their own talk radio show. But I would say, equally, that they need to make sure that they are not intruding on the Constitution and people in this country who choose to stand up and speak about the things which we believe are important.

I thank the gentleman for allowing me time.

Mr. WALDEN of Oregon. I appreciate the gentleman coming, speaking this evening on the floor of the House. The gentleman from Texas has done fine work in the Rules Committee and stood up in a valiant fight. But you're outnumbered there two to one by the Democrats, correct?

Mr. SESSIONS. Actually a little bit more than two to one. It's 9 to 4, so it is a bit more.

Mr. WALDEN of Oregon. It's pretty hard to get bipartisanship there if it's always a 9-4 vote, isn't it?

Mr. SESSIONS. And I thank the gentleman for asking about that. What's interesting is that in the Rules Committee, January, February and March, we heard our new colleagues, who are brand new freshman on the Rules Committee, in lockstep with Speaker PELOSI and lockstep with the chairman of the Rules Committee, the gentleman from New York (Ms. SLAUGHTER). And they attempted to justify everything they did by saying when we really get outside of our six for '06, which was their political agenda, you're going to start seeing lots of open rules. You will see lots of debate.

Mr. WALDEN of Oregon. And has the gentleman seen lots of open rules on major policy issues?

Mr. SESSIONS. You know, we have not. And I thank the gentleman for

asking that question. Have we seen this change from January, February, March, April or May? And the answer is no, we have not.

Mr. WALDEN of Oregon. Does the gentleman believe that that brings disrespect on this House for—

Mr. SESSIONS. I think that the question that you raise is, do I believe that someone who said that they were going to not do that, that they sold to this House and their membership that that was the wrong way to run the railroad and that they would think of better ways, yes, I think that they did say that. And I think it's interesting, as the gentleman may remember, just 2 weeks ago, we had a bill that came from the Financial Services Committee, one in which the gentleman from Massachusetts, the gentleman, Mr. FRANK, as the chairman, had worked very closely with his members about talking about what they would make in order, and then working, can I say that word "bipartisanship" down here? They worked in a bipartisan fashion in the committee, only to come to the Rules Committee and the chairman of the committee to ask and to say, it's okay. We've worked these through. As a matter of fact, the gentleman from Massachusetts said, I feel comfortable enough as chairman of the committee that you could make, Rules Committee Chairman SLAUGHTER, you could make any amendment that you choose to in order, and I believe I have the ability and our committee has the ability to work forth to where we could prevail on any issue. Whereupon we found out no, that's not the way it's going to be.

Mr. WALDEN of Oregon. So even the chairman of the committee said bring forth whatever amendments to the floor you want on the bill I have, and his chairman of the Rules Committee makes the decision what amendments come forward said uh-uh.

Mr. SESSIONS. I'm not doing that.

Mr. WALDEN of Oregon. And that's one of the those closed rules.

Mr. SESSIONS. Yeah, it was another closed rule. And I think the gentleman makes a point. So I think the people on the committee have now figured out time after time after time after time when they're voting for a record number of closed rules that, in fact, I wonder what it was they meant when they said we were going to do that? I think they're questioning what was the intent they said one thing but they're doing something else.

Mr. WALDEN of Oregon. And you said that's still up on the Speaker's Web site?

Mr. SESSIONS. Still up on the Speaker's Web site. And once again, new record. I think we'll have a new record virtually every time another rule comes out, a new record in this House that I think we have said openly, and the gentleman from Oregon is aware of this, that the Republican party has said we do recognize that there are times that you need to have closed rules. We support that. But if

you're going to sell that you're about openness, then at least live up to what you say.

Mr. WALDEN of Oregon. Do what you said.

Mr. SESSIONS. At least live up to what you said. And it's our job to try and point those factors out. I would also say that there's been a lot of frustration because what's happened is, in this process, Republicans, and I believe the number is 17, perhaps 18 now, motions to recommit that we have been accused of coming down and sabotaging their political agenda.

Mr. WALDEN of Oregon. But wait. Haven't those passed in a big bipartisan majority? So when one of these ideas comes to the floor, what you're saying is, the Republicans and Democrats actually do what Americans elected us to do, which was come together on issues, right?

Mr. SESSIONS. In fact, the gentleman is correct. While there may not be any procedure with an open rule, there generally have been, and it's what Republicans always allowed, a motion to recommit. And that means that we were able to, or whoever's in the minority is able to say I'm going to take a, just a piece part of this bill and try and include our ideas to better the bill.

Mr. WALDEN of Oregon. Try and make it better, right?

Mr. SESSIONS. An example of one of these might be, let's just think back to a bill that might be about homeland security. And in homeland security, we know that there was a fight that took place that said, and the Democratic Party was very open about it, that they did not want to have Amtrak passengers to have to go through what is called Customs and Border Protection Database that looked at what would be like the TSA no fly list; in other words, someone that might be considered a terrorist or have terrorist ties, they would not allow any matching of a database against potential terrorists for anybody that used Amtrak. And so we said we believe that what should happen is that every single person, we're not talking about going in New York City, riding the subway. We're talking about Amtrak, that Amtrak would be allowed to have that database.

Mr. WALDEN of Oregon. To look for terrorists on a terrorist watch list.

Mr. SESSIONS. We were accused of sabotaging the privacy of millions of Americans, accused of sabotaging their political agenda.

Mr. WALDEN of Oregon. Sounds to me like we were most interested in trying to protect the security of Amtrak passengers.

Mr. SESSIONS. Well, the gentleman is correct. In fact, it is the Republican Party position, and continues today with FISA, that we're trying to gain as much information as we can to avoid a next attack, not just be attacked and then figure it out.

Mr. WALDEN of Oregon. And do the blaming.

Mr. SESSIONS. It appears to me as though that is really the Democrat Party's position. The Democratic Party leadership in this House is trying on take away the ability that people have to be able to know to thwart an attack. Now, that's off the subject that we are trying to get into tonight, but it's germane in that these are the things that we're trying to do to have with motions to recommit better ideas.

Mr. WALDEN of Oregon. Well, it really isn't off the subject because what we're talking about is freedom to speak. We're talking about free expression. We're talking about a fundamental right under the Constitution of the ability of Americans to have their elected officials debate issues as we're doing tonight, or to have those in the fourth estate, the press, be able to inform the electorate, inform Americans about the issues of the day and debate them vigorously. This is about a fundamental right in America, about free speech.

Now, I want to share with you, because some people may be saying, well, where is this coming from, this fairness doctrine thing? Who's saying you're going to put that up? Well, a candidate for President, Democrat side, Representative KUCINICH, Ohio, in January, according to a publication, said that he announced that he was going to pursue the fairness doctrine through his Government Reform Subcommittee. That announcement was greeted with silence, but now Speaker PELOSI has moved things to the front burner.

Now let me get to a quote here in the *American Spectator*, a newspaper I guess, May 14. According to two members of the House Democrat Caucus, Reps NANCY PELOSI and STENY HOYER have informed them they will "aggressively pursue reinstatement of the so-called fairness doctrine over the next six months." That was back in May. And then there's a quote in something called the *Liberty Papers*, May 15, "First, Democrats failed on the radio airwaves with America. No one wanted to listen," says the senior advisor to PELOSI. "Conservative radio is a huge threat and political advantage for Republicans, and we have to find a way to limit it." This is an advisor quoted in *Liberty Papers* about that.

Our colleague from New York, MAURICE HINCHEY, NPR National Public Radio, June 22, Representative MAURICE HINCHEY tells the *Washington Times* that the Democrat is planning to reintroduce a bill that calls for a return to the doctrine saying the American people should have a wide array of news sources available to them. Well, this isn't about news sources. This is about political and free speech on the airwaves. Senator FEINSTEIN, California, says she's looking at reviving the fairness doctrine. That was in June in *The Hill*. Senator DURBIN says it's time to reinstitute the fairness doctrine. He's the majority whip in the U.S. Senate. I have this old-fashioned attitude when Americans hear both

sides of the story they're in a better position to make a decision. Well, yeah, that's true. But we're in a lot better position when you don't have government bureaucrats deciding whether or not you've aired all the positions.

□ 2130

And as you said, it's one thing to say you and I may disagree; so you get to come on and I come on. But what about our colleague from Texas, Dr. BURGESS? He may have a little different opinion from yours and he still may disagree with me and there may be three or four other Members. As the broadcaster, you have got 30 minutes or an hour on your show. How many opposing viewpoints do you have to have on in order to satisfy the government regulators that you've the right opposing viewpoint? We don't need government nannies, hall monitors trying to figure out if we are having debate and discussion on the airwaves.

Mr. BURGESS. Mr. Speaker, will the gentleman yield?

Mr. WALDEN of Oregon. I would be happy to yield.

Mr. BURGESS. I have certainly enjoyed listening to the discussion tonight. And I just wanted to be sure I had my facts straight in regards to the discharge petition. You have how many signatures on the discharge petition now?

Mr. WALDEN of Oregon. The last time I checked, we were at about 140. We only need 218. It has only been out there for a few days.

Mr. BURGESS. And if the gentleman would further yield, as I recall, when we voted on an amendment not too long ago on one of the appropriations bills, essentially this concept passed overwhelmingly by the House of Representatives; is that not correct?

Mr. WALDEN of Oregon. Reclaiming my time, more than 300 of our colleagues, Republicans and Democrats, said no to the funding of the reinstitution of the fairness doctrine.

Mr. BURGESS. If the gentleman will further yield, is there anything that has happened between the passage of that amendment and the initiation of the discharge petition that would cause people to change their minds? If it was worthwhile to vote for the amendment a few weeks ago, wouldn't it be similarly worthwhile to go ahead and sign that discharge petition so we can get on with working on this very important legislation?

Mr. WALDEN of Oregon. The only thing that has happened in between is nothing has happened in between, including that provision is stuck in an appropriations bill that has never gone to the President. So there is no protection today; but in terms of the issue itself, nothing has changed. That's why we should bring this to an up-or-down vote on the floor. That is all we are asking is Members of the Congress of the House just sign the discharge petition. Just go right over there tomorrow

and sign the discharge petition. That's all it is. If you get 218 of 435 on this bill, under an open rule, by the way, it will come to the House floor and we will have a full and vigorous debate.

Mr. BURGESS. If the gentleman will further yield, I, for the life of me, cannot understand why someone who would have voted in favor of the amendment would not follow through now and sign the discharge petition.

Mr. Speaker, I will just have to admit I am baffled that my colleagues who have showed such resolution on this just a few weeks now be peeled off for whatever reason and not have this solid bipartisan legislation brought to the House floor.

Mr. WALDEN of Oregon. Mr. Speaker, I thank my colleague for weighing in because it's part of why I am down here tonight to talk about the importance of this because, again, I think underlying everything we do in the country is our ability to have free speech.

This isn't Russia. This isn't China. This isn't name your country with leaders that crack down when they don't like what somebody says out there. Look at the oppression of the free press and debate in some of those countries. The silencing of government critics, the fairness doctrine is just an inch toward that. You just keep moving toward that, and you get the government deciding whether you get to keep your broadcast license or not. I mean, this stuff is real. Leaders, frankly, those in the majority now on the Democrat side have said we think we ought to put this back in place. The majority whip of the Senate said that. The staff to the Speaker indicated that. A Presidential candidate on the Democrat side has indicated that this needs to be done. And I just think you don't go down that path.

Now, this, again, is not a conservative or liberal fight. Free speech should never be a Republican issue or a Democrat issue. Protecting free speech should never be a Republican or Democrat issue. That's why signing the petition to bring this protection to the floor should not be a Republican or Democrat issue. We should be doing this in a bipartisan way, and 300 Members of this House voted for it already in effect. So I don't know what the hang-up would be. Perhaps they are not aware the petition is available. Perhaps if Members don't happen to be down here tonight and there is not a full House tonight but they may be watching, maybe others are, we can encourage them to sign the petition tomorrow.

I want to tell you too in this context that it is liberal viewpoints and conservative that believe that we should pass H.R. 2905 and are opposed to the fairness doctrine. In a 2003 interview on Public Broadcasting's "NewsHour with Jim Lehrer," well-known liberal talk show host Alan Colmes said: "Modern-day talk radio would not thrive if there



were a fairness doctrine and the bureaucratic nightmare that's involved in the kind of paperwork you need to do that. The free market should be the arbiter of what flies on talk radio . . . that's where I want to make it, and not because I have government help to do so." Alan Colmes, not necessarily a conservative on talk radio and TV. A liberal, and that's fine.

In 2007, on his own program, "Hannity and Colmes," Mr. Colmes wholeheartedly agreed with a guest's comment that radio hosts simply chose not to talk about controversial issues on the air when the fairness doctrine was in place.

As managing editor and anchor of CBS News, a man well known across America, Dan Rather, said: "I can recall newsroom conversations about what the FCC implications of broadcasting a particular report would be. Once a newperson has to stop and consider what a government agency will think of something he or she wants to put on the air, an invaluable element of freedom has been lost." Dan Rather.

Former FCC Chairman Dennis Patrick, who served on the commission between 1987 and 1989, his remarks on the fairness doctrine appeared in the Wall Street Journal's opinion page this summer, and he said: "Reimposing 'fairness regulation' would be a colossal mistake. The world without the fairness doctrine features exponentially more discussion of public issues from contrasting perspectives. The robust diversity of the blogosphere and the ideological rivalry among competing cable news channels all speak to the advantage of permitting the marketplace of ideas to make its own editorials FCC-free."

These are reasons, colleagues, that you should go over here tomorrow morning when the House reconvenes and sign the discharge petition. It's a real simple thing to do. You sign twice. You initial once, sign once. When 218 Members sign that under an open rule, we will bring to the House floor for an up-or-down vote this bill, H.R. 2905, which would prevent the government regulators on their own, without an act of Congress, from reinstituting censorship of the public's airwaves. This bill will stop that. And my friend Congressman MIKE PENCE from Indiana, and I both, who have spent time in the broadcast industry, encourage you to do this.

Again, more than 300 Members of the U.S. House voted to prohibit the FCC from using funds to reinstate the fairness doctrine; and 113 of the 309 that stood up for freedom during a vote on the Pence amendment were Democrats. So we know that there are 113 Members on this side of the aisle who have already voted against reinstituting the fairness doctrine, in fact, voted to make sure no money was spent by the agency to reinstitute the fairness doctrine. So just one of you, 2, 3, 4, 5, 20, we will take 20 Members, sign it, and this will come to the floor.

Only one Democrat has cosponsored this bill. Every single Republican is a cosponsor of this legislation. One Democrat has, and we appreciate that and we welcome more Members from the Democrat side, the party that often speaks on this floor about protecting civil rights and speech. Help us protect free speech over the public's airwaves by both cosponsoring H.R. 2905 and by signing the discharge petition. A petition, that's all it is, just the petition to bring it to the floor. Even if you don't happen to support the bill, H.R. 2905, the Broadcaster Freedom Act, sign the discharge petition. We are bringing this issue up under an open rule. You can offer up an alternative. You can offer up several alternatives. That's what America should be about is the ability to offer up alternatives on this floor among Members of Congress who are elected by the people to get the people's work done. Not to take away their rights, not to take away their free speech rights, not to be the nanny that tunes their radio for them, but rather to protect these fundamental constitutional rights that men and women who have worn our Nation's uniform have shed blood and died to protect and preserve so that we, this generation, would have the ability to continue to debate issues. And as annoying as that can be to some, depending upon your viewpoint on the issue, it should never be annoying that we protect this right. This is a fundamental right of America and Americans to be able to debate, discuss, without government interference, the political issues of the day.

And by their nature, if they are interesting, they are probably controversial. And if they are controversial, they probably do need to be debated, and out of that debate we will have a better outcome. We will all learn from listening to the opposing viewpoints. But we won't hear any of it if the fairness doctrine is back in place because we saw what happened between 1949 and 1987. There was no talk radio to speak of, certainly not vigorous talk radio.

And I am not saying you have to agree with Alan Colmes. I'm not saying you have to agree with Lars Larson or Rush Limbaugh or Sean Hannity. In fact, you can pick what you want. But do you really want to leave in place the opportunity for Federal regulators, without a vote of this Chamber, to put back in place a flawed regulation that we know chills free speech, that reduces speech on political issues at all? Do you want to leave that opening there for the next administration to have three commissioners of the five make that decision for you, three unelected commissioners? And I respect them all, believe me, but that is not how government should work on an issue as critical as free speech and protecting free speech rights.

So I encourage you tonight to think about it. Think about it. Think about those who have come before us, about those who have worn America's uni-

form to protect our free speech rights, and ask yourself how hard is it to walk right over here and sign the petition to allow an up-or-down vote on protecting free speech rights on America's radio and television broadcast stations?

With that, Mr. Speaker, I thank you for the opportunity to address our colleagues in the United States House of Representatives. I encourage them once again to sign the petition, bring H.R. 2905 to the floor, the Broadcaster Freedom Act. Protect the free speech rights of even those talk show hosts you vehemently disagree with because silencing those hosts is the worst thing the government could do.

The material I previously referred to follows:

FEDERAL COMMUNICATIONS COMMISSION, OFFICE OF THE CHAIRMAN,  
Washington, DC.

Hon. GREG WALDEN,  
House of Representatives,  
Washington, DC.

DEAR CONGRESSMAN WALDEN: Thank you for your letter asking for my thoughts on the present-day appropriateness of the Fairness Doctrine. As you are undoubtedly aware, the Fairness Doctrine obliged broadcasters to provide an opportunity for the presentation of contrasting viewpoints on those controversial issues of public importance that they covered. See *In re Complaint of Syracuse Peace Council*, 2 FCC Rcd 5043 (1987).

In 1987, based on its 1985 Report on the Fairness Doctrine, Inquiry into Section 73.1910 of the Commission's Rules and Regulations Concerning Alternatives to the General Fairness Doctrine Obligations of Broadcast Licensees, 102 FCC 2d 145 (1985), and an extensive subsequent administrative record, the Commission concluded that enforcement of the Fairness Doctrine was not in the public interest and thus decided to abandon it.

Among other things, the Commission found that the doctrine "'chill[ed]' speech" by "provid[ing] broadcasters with a powerful incentive not to air controversial programming above [a] minimal amount" in order to avoid burdensome litigation over whether it had complied with its obligation to provide contrasting viewpoints. 2 FCC Rcd at 5049 ¶¶42, 43. Based on its examination of the record, the Commission concluded that the Fairness Doctrine had created "a climate of timidity and fear, which deter[red] the coverage of controversial issue programming." *Id.* at ¶47. Indeed, the record compiled by the Commission at the time included over 60 reported instances in which the Fairness Doctrine had inhibited broadcasters' coverage of controversial issues. *Id.* at ¶43.

Furthermore, the Commission determined that the doctrine "inherently provide[d] incentives that are more favorable to the expression of orthodox and well-established opinion with respect to controversial issues than to less established viewpoints." *Id.* at ¶45. Because broadcasters espousing provocative opinions were more likely to be subject to a Fairness Doctrine challenge, the Commission concluded that the doctrine, in operation, inhibited the goal of ensuring that the public had access to innovative and less popular viewpoints. Indeed, the Commission expressed concern that the doctrine "provide[d] a dangerous vehicle—which has been exercised in the past—for the intimidation of broadcasters who criticize government policy." *Id.* at ¶54. Finally, the Commission concluded that government regulation was not necessary to ensure that the public had access to a wide range of opinion

on controversial issues of the day in light of the multiplicity of information sources available to the public, such as television stations, radio stations, daily newspapers, and cable television services. See *id.* at ¶¶55–56.

In reviewing the Commission's decision to abandon the Fairness Doctrine, the United States Court of Appeals for the District of Columbia Circuit determined that the Commission's findings were supported by the record, and upheld the Commission's determination that the fairness doctrine no longer served the public interest. See *Syracuse Peace Council v. FCC*, 867 F.2d 654 (D.C. Cir. 1989), cert. denied, 493 U.S. 1019 (1990).

In my judgment, the events of the last two decades have confirmed the wisdom of the Commission's decision to abolish the Fairness Doctrine. Discussion of controversial issues over the airwaves has flourished absent regulatory constraints, and the public now enjoys access to an ever-expanding range of views and opinions. Indeed, with the continued proliferation of additional sources of information and programming, including satellite broadcasting and the Internet, the need for the Fairness Doctrine has lessened ever further since 1987. In short, I see no compelling reason to reinstate the Fairness Doctrine in today's broadcast environment, and believe that such a step would inhibit the robust discussion of issues of public concern over the nation's airwaves.

I appreciate your interest in this important matter. Please do not hesitate to contact me if I can provide further information.

Sincerely,

KEVIN J. MARTIN,  
*Chairman.*

#### HEALTH CARE IN AMERICA

The SPEAKER pro tempore (Mr. SPACE). Under the Speaker's announced policy of January 18, 2007, the gentleman from Texas (Mr. BURGESS) is recognized for 60 minutes.

Mr. BURGESS. Mr. Speaker, I come to the floor of the House tonight, as I often do, to talk a little bit about health care, the status of health care here in America.

Tonight, if we could, I would like to talk a little bit about the past, talk some about the present, and maybe just look a little bit into the future.

Mr. Speaker, as I see it, over the last 70 years there have been three transformational times in American medicine: one in the 1940s, one in the 1960s, and I believe we are on the threshold or the beginning of another transformational time here early in the 21st century.

Mr. Speaker, medicine itself, the science of medicine, is pretty highly ordered, highly structured. It's very scientific. The scientific method is always employed in medicine. And when you get to government politics, government policy in regards to health care, in regards to medicine you would expect it to also rest on a firm foundation of science. But I have to tell you, Mr. Speaker, after being here for less than 5 years, you oftentimes see where that intersection of health care policy and health care reality sometimes creates more confusion than shedding light on the subject. And the thing is, Mr. Speaker, when we create these

policies in Congress, we affect things not just today, not just for the time the bill-signing occurs, but we affect things for decades into the future. And that is the responsibility that we hold in our hands here in this House of Representatives when we talk about changes in the health care system.

□ 2145

Now, Mr. Speaker, I referred to the 1940s as a transformational time in medicine. Obviously there were a lot of things going on in the world in the 1940s. But just prior to the 1940s, Mr. Alexander Flemming, an Englishman, made a startling discovery. He made a discovery that a mold, the penicillin mold, created a substance that was diffusible across an agar plate that would inhibit the growth of bacteria. He further found that this substance apparently was not harmful to humans. So we have the concept of selective toxicity, something that will attack a microbe and not hurt the host; the first time that science had delivered that type of hope, that type of promise to the world.

Now, Sir Alexander Flemming, receiving all the accolades he did for discovering penicillin, really created, at that point, something that was in such short supply, was so difficult to produce and so expensive that it really had no practical utility. It was almost like a medical trick or parlor game, but it was not something that could be generally used by the public, who was ill and needed access to the medicine. But American scientists, working in this country, created a system whereby they could grow large quantities of this mold, remove the substance from the vats that surrounded it, and purify it in large quantities. This occurred in 1942. We were in the middle of World War II. What a phenomenal discovery. Now this wonder drug that had only recently been discovered but was so rare, so scarce and so expensive that it had no practical utility, now it was cheap, readily available and, in fact, probably made a significant difference in the recovery of some of our soldiers who were wounded in the landing in Normandy. Battlefield infections were notoriously bad for causing loss of life and limb, and now we had an agent that was capable of treating those.

Now, another discovery that occurred in the 1940s, cortisone had been discovered before the 1940s, but again, a laborious process for actually extracting this anti-inflammatory medicine. In fact, Mr. Speaker, they extracted it from the adrenal glands of oxen. So you can imagine how labor intensive that process was. And so only small amounts of this compound were available to treat injured individuals.

But in the 1940s, an individual, Dr. Percy Julian, a Ph.D. biochemist, in fact we honored Percy Julian on the floor of this House as one of the outstanding African American scientists of the last century. I think we did that during the last Congress. And I was

very happy to vote for that because Dr. Julian's contribution to American medicine was nothing short of astounding. He was able to use a precursor of a soybean and create cortisone in a laboratory and mass produce it. Once again we had a wonder drug that previously was available only in such small supply as to only be of benefit to a handful of people; now, suddenly, it was readily available, and available to large numbers of people at a reasonable price.

So the 1940s ushered in the era of anti-infective antibiotic agents and anti-inflammatory agents, two true wonder drugs that, again, American medicine had not had available prior to that time.

Now, Mr. Speaker, today we get sick, we go see the doc, he or she writes out a script, tears it off, sends you on the way to the pharmacy, you get it filled and you never give it a second thought. But prior to 1940, that wasn't an option; it didn't happen. Again, our soldiers landing in Normandy who were injured had available for the first time an anti-infective agent that was of such caliber that it provided many of those wounded men to gain back the use of limbs that otherwise would have been placed in peril by battlefield injuries.

The discovery of cortisone really revolutionized at that time the treatment of illnesses such as Lupus and rheumatoid arthritis. There are other medications that are available now. Cortisone, of course, has some side effects and some problems, but still, cortisone is in widespread use in a number of areas in medicine today. So still, these are concepts that we benefit from.

When you also think of the 1940s, what else was going on? Well, of course, the Second World War. We were in the middle of a two-front war. The American workforce was severely contracted because of the number of men and women who were fighting for our country, so employers back in this country who wanted to produce the material for the war, who wanted to continue to operate their businesses, were pretty hard pressed to find employees to work there.

One of the things that was happening during the war, because of this shortage of workforce, was that compensation for workers started going up pretty fast. President Roosevelt saw that and felt that he needed to put some brakes on the rapid growth of wages; otherwise, the economy would get out of control and inflation would spiral out of control. So he put in place wage and price controls, and he did so because, again, the country was at war and the severe contraction of the workforce caused disruption of the labor market, and the President sought to correct that.

Now, employers said we want to do things for our employees that make them want to work for us and make them not look for other employment in other locations, so if we can't offer